

REMARKS/ARGUMENT

This second submission is in response to the Notice mailed on December 15, 2005, noting that the previously presented claims varied from the as-filed claims. The undersigned has confirmed this error and hereby submits the amendments to the correct as-filed claims. A response to this notice is due December 31, 2005, with a one month extension. The due date thus extends to January 3, 2006, due to a weekend and Federal Holiday. The Undersigned also thanks the Examiner in extending the courteous conversations regarding the due date for response and in identifying the correct claim listing. The following remarks now refer to the correctly listed and pending claims.

Response:

Claims 1-16 are pending after entry of the present amendment. Claims 1 and 10 are herein amended as described below. Support for the present amendment can be found in paragraphs [0040] -- [0041] and Figures 4A and 4B of the application as filed. No new matter is introduced. Claims 17-20 are herein canceled.

Claim rejections under 35 USC §102

Claims 1-10 and 12-20 were rejected under 35 USC §102(e) as being anticipated by Roesner (US Pub 2005/0047075). The rejections are traversed, and Applicant requests reconsideration in light of claim amendments and the following:

Applicant's independent claim 1, as amended herein, claims a component positioning and securing bracket assembly. The component positioning and securing bracket assembly includes a front rail, a rear rail, and a bottom rail to define a front, a rear, and a bottom boundary of the component positioning and securing bracket assembly. The front rail, the rear rail, and the bottom rail define a structure into which is received the component. The component positioning and securing bracket assembly further includes a top plate for attaching to the component. The top plate includes a keyed tail portion. The component positioning and securing bracket assembly also includes a tail receptacle for receiving the keyed tail portion. The tail receptacle is configured to the rear rail. The component positioning and securing bracket assembly further includes a nose receptacle portion of the front rail that receives a nose portion of

the top plate, a power and data connector to connect to the component, and a lever to provide leveraged motion. The leveraged motion causes the keyed tail portion to be received into the tail receptacle to positively hold and rigidly support the component in place, and effects a connection of the component to the power and data connector to secure the component in the component positioning and securing bracket. The component positioning and securing bracket assembly is in an array of a plurality of components.

In independent claim 10, Applicant claims a disk drive positioning and securing bracket assembly in an array of a plurality of disk drive components. The disk drive positioning and securing bracket assembly includes a device surrounding component for holding a disk drive, a forward mounting post attached to an array chassis, a rear mounting post attached to the array chassis, and a lever to provide leveraged movement to the disk drive. The lever is positioned on a side surface of the disk drive to be located within the array of the plurality of disk drive components. The device surrounding component includes a device positioning key and forward tabs. The device positioning key and forward tabs are configured to be received in the rear mounting post and in the forward mounting post such that the device surrounding component having the disk drive therein is received in the rear mounting post and in the forward mounting post in a first direction of motion, and the lever provides leveraged movement in a second direction of motion positioning the device positioning key into the forward tabs to secure the disk drive.

In order for a reference to anticipate a claim, each and every element as set forth in the claim must be found in the reference, either expressly or inherently described. MPEP 2131. Applicant respectfully submits that the Roesner reference fails to teach each and every element of Applicant's independent claims 1 and 8 as amended herein. Specifically, Roesner fails, at least, to teach that the keyed tail is received into the tail receptacle and that the nose portion is received into the nose receptacle of the component positioning and securing bracket assembly to "positively hold and rigidly support" component in place (see Applicant's specification as filed, paragraph [0040]). Further,

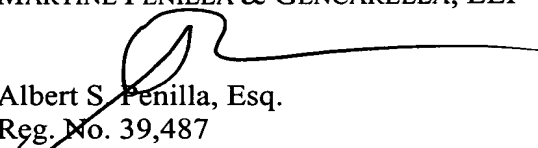
Roesner reference fails to teach a lever positioned on the side of the component within the component array.

In the Roesner reference, the structures the Office has identified do not teach that which Applicants have claimed in independent claims 1 and 10, as amended herein. Specifically, Applicant's keyed tail and nose are claimed to be received into a tail receptacle and nose receptacle respectively to positively hold and rigidly support the component in place. The Roesner device has no comparable structure.

Applicant also claims a lever to provide leveraged motion to the component. The lever as claimed by Applicant is positioned on side of the component and within the array (see Applicant's specification as filed, Figures 4A and 4B). The Roesner reference does not teach a structure as claimed by Applicant.

In view of the foregoing, Applicant respectfully requests reconsideration of claims 1-16. Applicants submit that all claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6900, ext. 6905. If any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP238). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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